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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,359	08/08/2001	Byoung Wook Kim	K-0311	2866
34610	7590	09/21/2007	EXAMINER	
KED & ASSOCIATES, LLP			VAN BRAMER, JOHN W	
P.O. Box 221200			ART UNIT	PAPER NUMBER
Chantilly, VA 20153-1200			3622	
MAIL DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/923,359	KIM ET AL.	
	Examiner	Art Unit	
	John Van Bramer	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 July 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 5-9, 18 and 30-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 5-9, 18 and 30-36 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>060507</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Amendment

1. The amendment filed on July 12, 2007 has cancelled no claims. Claims 5-9, 18, 30-33, 35 and 36 have been amended. No new claim were added. Thus, the currently pending claims addressed below are Claims 5-9, 18, and 30-36.

Claim Objections

2. The amendment filed on July 12, 2007 has overcome the objection to Claims 5, 18, 30, 32, and 36 raised in the Office Action dated April 12, 2007. Therefore, this objection is hereby withdrawn.

Claim Rejections - 35 USC § 112

3. The amendment filed on July 12, 2007, has overcome the 35 U.S.C. 112 rejection of Claim 35 raised in the Office Action dated March 10, 2006. Therefore, the rejection is hereby withdrawn.
4. The amendment filed on July 12, 2007 has overcome the 35 U.S.C. rejection of Claim 7 raised in the office action dated March 10, 2006. Therefore, the rejection is hereby withdrawn.
5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 9 depends from Claim 6. Claim 6 does not require that the special information include information of the current traffic conditions. Rather, current traffic conditions are merely one of the possible types of special information that is gathered. Claim 9 attempts to broaden the claim by extending special information to include more types of information than the claimed "at least one of" that is presented by Claim 6. For example, if the special information included only the claimed "information of each road in the region" then it would satisfy the "at least one of" statement in Claim 6. However, Claim 9 requires that the information also contain "information of the current traffic conditions. This broadens the limitation of claim one to require two or more types of special information, rather than the claimed "at least one of". This is indefinite because the "at least one of" language in claim 6 is no longer the proper recitation of the limitation.

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 5-9, 18, and 36 and rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant's amendment attempts to claim the negative limitation that "the local content provider network" provides "information regarding only the corresponding region" and thereby attempts to exclude the local content provider from providing other types of information, which do not correspond to the region. However, the applicant's specification specifically states in paragraph [0057] that the information provided by the local content provider includes "basic information of the region", and at least one of "information effective only in the region" or "information requested by the client". Paragraphs [0180] through [0189] describe a situation in which the "information requested by the client specifically includes information such as the clients "work", that is not considered "information regarding only the corresponding region". Therefore, the specification supports that the local content provider has information representing basic information of the region and information regarding the corresponding region as well as information requested by the client. This is in contrast to the claimed "local content provider network providing information regarding only the corresponding region".

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 5-9, 18 and 30 – 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan et al. (U.S. Patent Number: 5,959,577).

Claim 5: Fan discloses an operating method of an informative service system comprising:

- a. Connecting to the Internet by a client using a mobile phone of the client, the connection being to a server network on the Internet, the client requesting special information. (Col 1, lines 6-11; Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- b. Continuously confirming by the server network the location of the client's mobile phone set to receive various services based on request. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two-way communication, the location of the base station in which to transmit packets is required.)

- c. Collecting the special information required for supply of traffic information in a region through a local content provider network constructed in the region when it is confirmed through a pilot signal transmitted from the client's mobile phone that the client's mobile phone enters the region, the local content provider network providing information regarding the corresponding region, the local content provider network being different than the server network. (Col 1, lines 6-11; Col 3, lines 10-45; Col 4, lines 4-65; Col 6, lines 49-61; and Col 9, line 49 through Col 10, line 21)
- d. Transmitting the collected information from the local content provider network over the Internet to the client's terminal. (Col 1, lines 6-11; Col 3, lines 10-45; Col 4, lines 4-65; Col 6, lines 49-61; and Col 9, line 49 through Col 10, line 21)

Claim 6: Fan discloses the method according to claim 5, wherein the special information is at least one of information effective only in the corresponding region, information of current traffic conditions in the region, information of each road in the region and information of the current conditions of each road. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 7: Fan discloses the method according to claim 5, wherein the special information comprises information of current traffic conditions in the region, the information of the current traffic conditions in the region comprising information under a traffic control condition. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 8: Fan discloses the method according to claim 5, wherein the special information comprises information of each road in the region, the information of each road comprising information of driving speed limit, information of no-parking areas, information of one-way traffic and map data of the above information. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 9: Fan discloses the method according to claim 6, wherein information of the current traffic conditions is information of road conditions due to road construction in the corresponding region and map data of the above information. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 18: Fan discloses an operating method of an informative service system for providing requested information to an owner of a mobile phone comprising:

- a. Connecting to the Internet by an owner using a mobile phone of the owner, the connection being to a server network on the Internet. (Col 1, lines 6-11 and Col 9, line 49 through Col 10, line 21)
- b. Requesting special information within a region by the owner of the mobile phone entering the region, the request being to the server network through Internet connection using the mobile phone through a base station. (Col 9, line 49 through Col 10, line 21) (The disclosed invention is able to be

operated over a cellular telephone network and is mobile, therefore, it is a mobile phone.)

- c. Receiving the request for special information through the server network from the mobile phone. (Col 3, lines 11 – 46; and Col 5, line 53 through Col 6, line 32)
- d. Confirming the present position of the owner's mobile phone by the server network by confirming the base station through which the mobile phone is connected through a channel connected with the mobile phone. (Col 3, lines 11 – 46) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- e. Searching for the requested special information at a local content provider network from information stored on the basis of information received from the server network. (Col 3, lines 11-46; and Col 4, line 66 through Col 5, line 21)
- f. Transmitting data of the requested special information to the local CP network and transmitting the data of the requested special information from the local CP network to the mobile phone via the Internet, the local CP network transmitting the data relating to the region entered by the owner of the mobile phone and the local CP network being different than the server network. (Col 3, lines 11 – 46)

Claim 30. Fan discloses an information service system comprising:

- a. Connecting to the Internet by a client using a mobile phone of the client, the connection being to a server network on the Internet. (Col 1, lines 6-11 and Col 9, line 49 through Col 10, line 21)
- b. A database storing information of a standard location registered by the client using the mobile phone, information of critical value of a difference in time and space from the standard location and information related with services provided according to the difference in time and space. (Fan: Col 4, lines 41 – 54)
- c. Position confirming means for detecting the present position of the client by confirming a base station through which the mobile phone is connected through a channel connected with the mobile phone. (Fan: Col 3, lines 11-46; and Col 3, line 46 through Col 4 line 40) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- d. Time measuring means for counting time exceeding the critical value from the standard location registered by the client. (Fan: Col 4, lines 55 – 65)
- e. Information obtaining means for obtaining information of services set according to the difference in time and space confirmed by the position confirming means and the time measuring means. (Fan: Col 2, line 60 through Col 3, line 16)

f. Information transmitting means for transmitting the obtained information to via the Internet to the mobile phone of a client. (Fan: Col 5, lines 15 – 20; and Col 6, lines 6-40)

Claim 31. Fan discloses the system according to claim 30, wherein all of the means are constructed according to an environment of a mobile communication system based on various networks. (Fan: Col 2, lines 60 – 67)

Claim 32. Fan discloses an operating method of an informative service system comprising:

- a. Connecting to the Internet by an owner using a mobile phone of the owner, the connection being to a server network on the Internet. (Col 1, lines 6-11 and Col 9, line 49 through Col 10, line 21)
- b. Registering a standard location by the client using the mobile phone via a connection to a base station. (Col 6, lines 49 – 61)
- c. Continuously confirming a present position of the client by confirming the base station through which the mobile phone of the client is connected through a channel connected with the mobile phone. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)

- d. Confirming a difference in time and space between the confirmed present position of the client and an initially registered standard location. (Col 6, lines 49 – 61)
- e. Performing a service set according to an exceeded difference if the confirmed difference in time and space exceeds a critical value of a set difference in time and space, the service being performed over the Internet to the mobile phone. (Col 6, lines 49 – 61)

Claim 33. Fan discloses the method according to claim 32, wherein the confirming the present position of the client is performed according to a period for confirming the set present position or is performed according to a request of the client. (Col 3, lines 11 – 46)

Claim 34. Fan discloses the method according to claim 32, wherein the confirming a difference in time and space between the confirmed present position of the client and an initially registered standard location is performed by confirming whether or not the client is out of the set critical distance from the initially registered standard location. (Col 6, lines 49 – 61)

Claim 35. Fan discloses the method according to claim 32, wherein the service set according to the exceeded difference comprises service for providing at least one of information of available restaurants at a location where the client is

located if it is a mealtime, and information of traffic for returning the client to the standard location. (Col 4, lines 4-65; Col 6, lines 49-61; Col 6, line 62 through Col 7, line 20)

Claim 36: Fan discloses a method for providing regional information to a user of a mobile phone comprising:

- a. Registering a location of a mobile phone of a user. (Col 6, lines 49 – 61)
- b. Continuously confirming a present location of the user by identifying a base station through which the mobile phone of the user is currently connected. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- c. Requesting special information within a region by the user of the mobile phone entering the region, the request being through an Internet connection to a server network using the mobile phone. (Col 1, lines 6-11; Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- d. Receiving the request for special information at the server network from the mobile phone. (Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- e. Confirming the present location of the user's mobile phone by the server network by confirming the base station through which the mobile phone is connected. (Col 3, lines 10-46; Col 3, line 58 through Col 4, line 40)

- f. Searching for the requested special information at a local content provider (CP) network from information stored on the basis of information received at the server network. (Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- g. Transmitting data of the requested special information to the local CP network. (Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- h. Connecting the mobile phone to the local CP network. (Col 1, lines 6-11; Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- i. Transmitting the data of the requested special information from the local CP network to the mobile phone via the Internet, wherein the special information comprises information effective in the corresponding region, and the local CP network being different than the server network. (Col 1, lines 6-11; Col 3, lines 10-45; Col 4, lines 4-65; Col 6, lines 49-61; and Col 9, line 49 through Col 10, line 21)

Response to Arguments

11. Applicant's arguments with respect to claims 5-9, 18, and 30-36 have been fully considered but they are not persuasive.
 - a. The applicant arguments directed to the newly amended limitations have been addressed in the rejection above.
 - b. The applicant argues that Fan does not teach or suggest an information obtaining means for obtaining information of services set according to the

difference in time and space confirmed by the position confirming means and the time measuring means. However, the cited section discloses the claimed "means for" that are utilized in the applicant's specification. The Examiner reminds the applicant that a "means for" claim requires the applicants specification to identification of the specific parts of an apparatus that are performing the means. Based upon the applicant's specification and drawing such as Fig 18, the examiner believes the cited section of the Fan reference discloses the components required for performing the means. Additionally, Fan discloses that positional change can be measured by way of time and space. Fan also discloses sending different information such as new maps to individual once the positional change information has reached a specific critical point such as no longer able to be represented by the currently displayed map (Col 3, line 10 through Col 4, line 65).

- c. Regarding the applicant newly added limitation that the local content provider network be different than the server network. The examiner reminds the applicant that according to the applicant's specification the networks are connected and communicate through the Internet, which is also a network. Since they are all connected they are all actually one network. However, for the purpose of prosecuting the claims the Fan discloses in (Col 3, line 10 through Col 4, line 65) that there is a link to a service connection, which is on a data network which is separate from the data processing station.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 6am - 4pm Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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